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Concurrent receipt: hopes dashed again in 107th

By Rep. Bob Filner

It seemed that this was the year — finally! — to correct a grave injustice done to veterans. This was the year — finally! — to restore “concurrent receipt.” This was to be the year — but something terrible happened in the legislative end game.

As we all know, current law requires an offset between military retired pay and Veterans Affairs disability compensation. In effect, our disabled military retirees are paying for their own disability. This is not a way to treat those who have sacrificed so much for our country.

Because of the indefatigable work by Rep. Michael Bilirakis (R-Fla.) and veterans all across the nation, more than 400 (out of 435) members of Congress had cosponsored H.R. 303, the bill to allow “concurrent receipt” of both retired pay and disability compensation. I was heartened by the action of the House and Senate this year, when both bodies passed significant and appropriate provisions in the Defense Authorization Act to fix the problem. I supported the Senate version, which restored concurrent receipt to all deserving veterans.

As the two versions of the bill were being reconciled into one final bill by a so-called “conference committee,” on Oct. 10, 2002, I voted with all my House colleagues to instruct the conference committee members to protect the concurrent receipt provision in their negotiations.

In short, the House passed a bill including concurrent receipt for many veterans. The Senate passed a bill including concurrent receipt for all veterans. The House took an additional step on Oct. 10 so there would be no doubt about the importance of retaining the concurrent receipt provision in the final bill. But, in a mysterious manner still not fully explained, when the final Defense Authorization Act came out of the conference committee, concurrent receipt was almost



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obliterated.

I believe it was unconscionable that the “Defense Authorizers” in both the House and Senate bowed to veto pressure from the White House and watered down the concurrent provision to almost nothing.

I am very angry about this turn of events. But I am equally angry about the unbelievable process used to pass this final bill.

Here’s what happened: The Armed Services Committee, having come to the decision to ignore the overwhelming majorities in both houses of Congress, puts its Conference Report on the House agenda late on Tuesday, Nov. 12, 2002, while most representatives were traveling back to Washington for the post-election lame-duck session. We had been assured by our leadership that there would be no votes until the next day.

Imagine our surprise to learn that the Defense Authorization Act, one of the most important bills of the year, was passed by a voice vote — with almost no representatives on the floor. The Senate

followed suit and passed the act by voice vote the following day. Congressman Bilirakis and his supporters were betrayed. The hopes of veterans everywhere were dashed by their own representatives. And the whole crime was carried out virtually in secret.

During my 10 years in Congress, I cannot recall more than one or two other issues on which I have received so many letters, e-mails and calls. Our veterans — men and women who risked their lives for our country — are clearly telling us that this issue is important to them. Their expectations were raised by the House and the Senate versions of this bill. This was to be their year — but at the last minute very little was finally granted to very few.

Military retirees made to pay for own disabilities.

While the few veterans who are covered in the bill, those with combat-related disabilities or disabilities for which they received the Purple Heart, are absolutely deserving, so are all the others for whom we have been fighting.

I understand that there are costs to concurrent receipt. But I also understand that the now-disabled veterans did not hesitate when called. They returned home with disabilities they have had to live with ever since. How can we even doubt the imperative to keep our promises and give them what they deserve? They earned their military retired pay. They deserve their VA disability compensation. They must now wait longer for justice to prevail.

Unfortunately, we must go back into battle. But we must go back with new weapons and new resolve.

Rep. Bob Filner, a Democrat, represents California's 50th Congressional District.